| 1        | Staff Summary   |  |  |  |
|----------|---|--|--|--|
| 2        | This is a second of the Country Code Section 22.22 monding Education  |  |  |  |
| 3        | This ordinance amends Chapter 22, Lake County Code, Section 22-22 regarding Educational   |  |  |  |
| 4        | Impact Fees. This ordinance will increase the Educational Impact Fee to seventy-five percent  |  |  |  |
| 5<br>6   | (75%) of the adopted Impact Fee Study prepared by Henderson Young & Company, dated Jun 7, 2011.   |  |  |  |
| 7        | 7, 2011.  |  |  |  |
| 8        |   |  |  |  |
| 9        | ORDINANCE NO. 2014 - 72   |  |  |  |
| 10       |   |  |  |  |
| 11       | AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF LAKE   |  |  |  |
| 12       | COUNTY, FLORIDA; AMENDING SECTION 22-22, LAKE COUNTY CODE, TO   |  |  |  |
| 13       | INCREASE THE EDUCATIONAL IMPACT FEES TO 75% OF THE RATE   |  |  |  |
| 14       | RECOMMENDED IN THE ADOPTED IMPACT FEE STUDY DATED JUNE 7, 2011,   |  |  |  |
| 15       | TO BE EFFECTIVE APRIL 6, 2015; PROVIDING FOR SEVERABILITY; PROVIDING  |  |  |  |
| 16       | FOR INCLUSION IN THE CODE; PROVIDING FOR FILING WITH THE  |  |  |  |
| 17       | DEPARTMENT OF STATE; AND PROVIDING FOR AN EFFECTIVE DATE.   |  |  |  |
| 18       |   |  |  |  |
| 19       | WHEREAS, Chapter 22 of the Lake County Code imposes impact fees for   |  |  |  |
| 20       | Transportation, Educational Facilities, Parks, Libraries and Fire; and  |  |  |  |
| 21       |   |  |  |  |
| 22       | WHEREAS, in Ordinance No. 2013-55, the Board of County Commissioners did impos  |  |  |  |
| 23       | an Educational Impact Fee at a rate that was twenty-five percent (25%) of the adopted Impact  |  |  |  |
| 24       | Fee Study, prepared by Henderson Young & Company, dated June 7, 2011; and   |  |  |  |
| 25       | WITEDEAS AL De and were finds it is in the heat interests of the citizens of Lelye County   |  |  |  |
| 26       | WHEREAS, the Board now finds it is in the best interests of the citizens of Lake County   |  |  |  |
| 27       | to increase the Educational Impact Fee to seventy-five percent (75%) of the rate recommended in   |  |  |  |
| 28<br>29 | the Impact Fee Study prepared by Henderson Young & Company dated June 7, 2011, titled Impact Fees for Educational Facilities in Lake County, Florida. |  |  |  |
| 30       | impact rees for Educational ractimes in Danc County, Frontain.  |  |  |  |
| 31       | NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners of  |  |  |  |
| 32       | Lake County, Florida as follows:  |  |  |  |
| 33       |   |  |  |  |
| 34       | Section 1. Recitals. The foregoing recitals are true and correct and incorporated   |  |  |  |
| 35       | herein by reference.  |  |  |  |
| 36       | ·   |  |  |  |
| 37       | Section 2. Amendment. Section 22-22, Lake County Code, entitled 'Imposition,' is  |  |  |  |
| 38       | hereby amended to read as follows:  |  |  |  |
| 39       |   |  |  |  |
| 40       |   |  |  |  |

## Sec. 22-22. Imposition.

(a) The imposition of educational impact fees on new development shall be suspended for a period beginning retroactively on January 1, 2011 and extending through January 12, 2014. The suspension shall not apply to pre-payments, deferral agreements unless the agreement specifically allows, or the use of impact

| 1<br>2 | fee credits. Refunds of the educational impact fee shall be issued to the current owner of record for fees paid on a permit issued on or after January 1, 2011. |  |  |
|--------|---|--|--|
| 3      |   |  |  |
| 4      | (b) Effective January 13, 2014, aAll residential construction occurring within  |  |  |
| 5      | the county, both within the unincorporated area and within the municipalities,  |  |  |
| 6      | shall pay the following educational system impact fees:   |  |  |
| 7      |   |  |  |
| 8      | Single-family detached house, per dwelling unit \$2,573.107,719.00  |  |  |
| 9      | Multi-family dwelling unit, per dwelling unit <u>\$-1,545.254,636.00</u>  |  |  |
| 0 [    | Mobile home, per dwelling unit  |  |  |
| 1      |   |  |  |
| 2      |   |  |  |
| 3      | Section 3. Severability. If any section, sentence, clause, or phrase of the Ordinance   |  |  |
| 4      | is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding   |  |  |
| 5      | shall in no way affect the validity of the remaining portion of this Ordinance.   |  |  |
| 6      |   |  |  |
| 7      | Section 4. Inclusion in the Code. It is the intent of the Board of County   |  |  |
| 8      | Commissioners that the provisions of this Ordinance shall become and be made a part of the  |  |  |
| 9      | Lake County Code and that the sections of this Ordinance may be renumbered or relettered and  |  |  |
| :0     | the word "ordinance" may be changed to "section," "article," or such other appropriate word or  |  |  |
| .1     | phrase in order to accomplish such intentions.  |  |  |
| 2      |   |  |  |
| .3     | Section 5. Filing with the Department of State. The clerk shall be and is   |  |  |
| 4      | hereby directed forthwith to send a certified copy of this Ordinance to the Secretary of State for  |  |  |
| .5     | the State of Florida.   |  |  |
| 6      |   |  |  |
| .7     | Section 6. <u>Directions to the Clerk of Court</u> . The Clerk of Court is hereby directed  |  |  |
| 8      | to hold in escrow the Educational Impact Fees collected after the effective date of this ordinance  |  |  |
| 9      | until such a time as the School Board of Lake County, Florida presents to the Board of County   |  |  |
| 0      | Commissioners an updated Impact Fee Study which justifies the rates established herein.   |  |  |
| 1      |   |  |  |
| 2      | Section 7. Effective. This Ordinance shall become effective as of April 6, 2015.  |  |  |
| 3      |   |  |  |
| 4      | and ,   |  |  |
| 5      | Enacted this day of   |  |  |
| 6      |   |  |  |
| 7      | Filed with the Secretary of State December 5, 2014.   |  |  |
| 8      | $\cdot$   |  |  |
| 9      |   |  |  |
| Λ      |   |  |  |

41 42

| 1<br>2<br>3 |                                   |                                 |
|-------------|-----------------------------------|---------------------------------|
| 4           |                                   | BOARD OF COUNTY COMMISSIONERS   |
| 5           | ATTEST:                           | OF LAKE COUNTY, FLORIDA         |
| 6           |                                   |                                 |
| 7           |                                   | _ ^                             |
| 8<br>9      | DVDO.                             | (m                              |
| 10          | Nell Kelly, Clerk of the          | Jimmy/Conner, Chairman          |
| 11          | Board of County Commissioners     |                                 |
| 12          | of Lake County, Florida           |                                 |
| 13          |                                   | This 3rd day of hofember, 2014. |
| 14          |                                   | l                               |
| 15          |                                   |                                 |
| 16          |                                   |                                 |
| 17<br>18    |                                   |                                 |
| 19          |                                   |                                 |
| 20          |                                   |                                 |
| 21          | Approved as to form and legality: |                                 |
| 22          |                                   |                                 |
| 23          | O A                               |                                 |
| 24          | X HIII                            |                                 |
| 25          |                                   |                                 |
| 26          | Sanford A. Minkoff                |                                 |
| 27          | County Attorney                   |                                 |



RICK SCOTT Governor

KEN DETZNER
Secretary of State

December 5, 2014

Honorable Neil Kelly Clerk of the Circuit Court Lake County 550 West Main Street P. O. Box 7800 Tavares, Florida 32778-7800

Attention: Susan Boyajan

Dear Mr. Kelly:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge your electronic copy of Lake County Ordinance No. 2014-72, which was filed in this office on December 5, 2014.

Sincerely,

Ernest L. Reddick Program Administrator

ELR/lb